

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 11-277 (SRC)
v. :
MICHAEL DURANTE : ORDER
MICHAEL DURANTE : FILED UNDER SEAL AND IN CAMERA

This matter having come before the Court on the *in camera*, *ex parte* motion of the United States, dated September, ___ 2012, for an Order declaring certain material pertaining to witnesses whom the Government intends to call at the trial in the above-referenced matter, not to be encompassed by Giglio v. United States, 405 U.S. 150 (1972) and its progeny; and the United States having provided the details of the material to the Court with its motion papers; and the Court having reviewed the Government's submission; and it appearing that said material is not relevant to the defendant's guilt or innocence, and would not affect the jury's judgment of the credibility of the above-described witness,

IT IS on this 13 day of September 2012,
denied ORDERED that the Government's motion be, and hereby is,
~~GRANTED~~ and the Government's motion and all materials in support
unsealed thereof are ~~SEALED~~; and it is further

ORDERED that the Government will ~~not~~ be required to produce
said material to the defense. The court has concluded
that the information is at least ~~confidential~~
~~and~~ potentially proper confidential material
and must be
disclosed. The court makes no
determination ^{at the time} as to whether or not
the defense will be permitted to inquire
into the information and treat on
cross examination.

HON. STANLEY R. CHESLER
UNITED STATES DISTRICT JUDGE

John C. Stennis
O.S.D.